

# **YADKIN COUNTY BOARD OF COMMISSIONERS REGULAR SESSION MINUTES**

**Tuesday, February 16, 2016**

The Board of Commissioners of the County of Yadkin, State of North Carolina, met in Regular Session in the Commissioners' Meeting Room of the Yadkin County Human Resources Building located at 217 East Willow Street, Yadkinville, NC on February 16, 2016 at 7:00pm. The regularly scheduled Meeting that was to be held on February 15, 2016 at 7:00pm had to be postponed to tonight due to inclement weather.

**Present were:**

Chairman Kevin Austin  
Vice Chairman David Moxley  
Commissioner Gilbert Hemric  
Commissioner Marion Welborn  
Commissioner Frank Zachary

**Staff present:** County Attorney, Ed Powell; County Manager, Lisa Hughes; and Clerk to the Board, Tanya Gentry.

**INVOCATION** given by Chairman Austin.

**CALL TO ORDER** by Chairman Austin at 7:00pm.

**PLEDGE OF ALLEGIANCE** led by the following Jonesville Elementary students: Alexis Ball and Caroline Wood.

**ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

Commissioner Hemric made a motion to adopt the Agenda as presented. Vice Chairman Moxley second.

**Vote:** 5/0.

**PUBLIC COMMENTS**

There were no speakers. Chairman Austin closed the Public Comments at 7:03pm.

**APPROVAL OF MINUTES**

The February 1, 2016 Regular and Closed Session Minutes were reviewed. Commissioner Welborn made a motion to approve both sets of minutes as presented. Commissioner Zachary second.

**Vote:** 5/0.

**REPORTS/REQUESTS OF THE BOARD**

There were no reports to the Board.

**CONSENT AGENDA**

Vice Chairman Moxley made a motion to approve the Consent Agenda items. Commissioner Hemric second.

**Vote:** 5/0.

The Consent Agenda items that were approved by the Board are as follows:

**Human Services/Maternal Health Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Maternal Health	1045163-44199	29,332	(2,546)	26,786
MH – Professional Services	1055163-51520	28,700	(2,546)	26,154

The State decreased funding for Maternal Health Program.

**Human Services/Adult In-Home Aide Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
DSS - Salary	1055300-51010	2,292,583	(11,228)	2,281,355
DSS – Contracted Services	1055300-51700	114,985	11,228	126,213

The State provided funding for Adult In-Home Aide and Human Services budgeted those funds in a salary line in error. The funds should have been budgeted in a contracted services line. This budget amendment transfers the funds to the line they should have been budgeted in.

**Human Services/Social Services Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
DSS-401K	1055300-51360	23,068	(500)	22,568
DSS-Longevity	1055300-51020	13,540	500	14,040
Special Needs Foster Care	1055320-57630	5,000	(5,000)	0
Gen Assist	1055320-57560	8,000	2,000	10,000
Travel	1055300-54010	7,000	1,500	8,500
Equipment	1055300-52023	1,000	1,500	2,500

Additional funds are needed in longevity to cover the costs for the remainder of the year. Additional funds are needed in General Assistance, Travel, and Equipment to cover costs for the remainder of the year.

**Finance/Professional Services Budget Amendment**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Non Dept – Professional Services	1059000-51500	480,803	125,000	605,803
General Fund – App Fund Balance	1044000-49000	3,123,336	125,000	3,248,336

Additional funds are needed to cover the costs of legal services provided by Smith Moore Leatherwood.

**Rescinding of EMS/Insurance Amendment Approved on 02/01/2016**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Insurance Payments	1044000-48500	(4,561)	(7,676)	(12,237)
Vehicle Maintenance	1054330-53040	33,000	7,676	40,676

This budget amendment the Board approved on 02/01/2016 needs to be rescinded and a corrected version approved.

**Correction of EMS/Insurance Amendment Approved on 02/01/2016**

Line Item	Account	Current Budget	Increase/(Decrease)	New Budget
Insurance Payments	1044000-48500	4,561	7,676	12,237
Vehicle Maintenance	1054330-53040	33,000	7,676	40,676

This is the corrected version of the budget amendment the Board approved on 02/01/2016. It is needed to transfer funds received from insurance to a vehicle maintenance line. The funds will be used to pay for repairs to an EMS vehicle.

**Tax Adjustments & Refunds for December 2015 and January 2016**

The Tax Office submitted the tax adjustments and refunds for the month of December 2015 and the month of January 2016. The Board of Commissioners reviewed them and approved the presented adjustments and refunds as requested.

**Order Tax Collector to Advertise Unpaid Taxes**

The Tax Office requested the Board order the Tax Collector to advertise all unpaid taxes that are liens on real property for FY2015-2016. The Board ordered the Tax Collector to advertise the unpaid taxes as requested.

### **Revised Animal Shelter Fee Schedule**

Dr. Holt is a vet that is new to the County's community spay/neuter program. He is requiring the animals have a parvo/distemper vaccine and a Bordetella vaccine, in addition to a rabies vaccine, to perform the spay/neuter surgeries. The Animal Shelter requested the Board approve two revisions to their Fee Schedule to accommodate for these required vaccines. They currently have an \$8.00 fee for a "reduced rate non-profit parvo/distemper vaccine" on their Fee Schedule. They would like to change the title of the fee to "parvo/distemper vaccine" so the vaccine can be given to community spay/neuter program participants who use Dr. Holt as the vet for their animal's surgery. The fee would still be \$8.00. They do not currently have the Bordetella vaccine on their Fee Schedule. They would like to add a \$15.00 fee for the Bordetella vaccine to their Fee Schedule. The Board approved the requested changes and adopted the revised Animal Shelter Fee Schedule.

### **Reclassify Parks & Rec Supervisor Position #620001 to Assistant Director and Reclassify Maintenance Mechanic 1 Position #620002 to Recreation Assistant**

Jason Walker requested two of the Parks & Recreation positions be reclassified. He asked that position #620001 be reclassified from Parks & Recreation Supervisor to Assistant Director. The person in that position will be given more administrative and operational responsibilities. Jason Walker also asked that position #620002 be reclassified from Maintenance Mechanic 1 to Recreation Assistant. A Recreation Assistant can perform more job duties than a Maintenance Mechanic can. With the busiest time of the year coming up, he believes these changes will be beneficial to the Department. There are sufficient funds in the budget to cover the costs associated with the reclassifications. Part-time seasonal employees will also be used as needed. Funds to pay part-time seasonal employees are available in the budget. The Board approved the reclassifying of position #620001 from Parks & Recreation Supervisor (Grade 65) to Assistant Director (Grade 69) and the reclassifying of position #620002 from Maintenance Mechanic 1 (Grade 59) to Recreation Assistant (Grade 62) and authorized the Department Director to use as many part-time seasonal employees as needed within budget.

### **Salary Increase for Cooperative Extension Employee**

The County participates in a salary share with NC State for Cooperative Extension employees. They have approved a salary increase for Pam Jones that will be effective March 1, 2016. They have requested the Board approve the County's share of the increase. The County's share is \$500.00. The Board approved the salary increase for Cooperative Extension employee Pam Jones as requested and authorized the County Manager to sign the necessary forms.

### **Wilkes Connections Contract**

Wilkes Connections will run cabling that the IT Department needs on the second floor of the Yadkin County Agricultural and Educational Building. An informal request for proposals went out for this project and the following companies' submitted proposals: Triad Cabling Plus, C2 Contractors, Allen and Associates, Versa Technologies, Wilkes Connections, and KNC Technologies. Wilkes Connections met all the specifications at the lowest cost. The Board approved the contract with Wilkes Connections and authorized the County Manager to sign it.

### **PUBLIC HEARING/ACTION TO SET PUBLIC HEARING**

#### **Public Hearing for Economic Development Incentives for Project 15-3 for Lydall**

Bobby Todd addressed the Board. He requested a public hearing be held on a proposal to provide Lydall Thermal/Acoustical with economic incentives of up to \$100,000.00 annually for three years. They are expanding their Hamptonville location. A new capital investment of \$16 million is anticipated. The expansion will result in the creation of at least 30 new positions. Chairman Austin opened the Public Hearing at 7:05pm. No speakers came forward. Chairman Austin closed the Public Hearing at 7:05pm.

#### **Public Hearing for Economic Development Incentives for Project 13-7 for NC Tobacco International**

Bobby Todd addressed the Board. He requested a public hearing be held on a proposal to provide North Carolina Tobacco International with economic incentives of up to \$80,000.00 spread over three years. A new capital investment of \$5.2 million is anticipated. The project will result in the creation of at least 48 new positions. The economic development incentives will be capped at \$25,000.00 for the first two years

and \$30,000.00 for the third year. Chairman Austin opened the Public Hearing at 7:07pm. No speakers came forward. Chairman Austin closed the Public Hearing at 7:08pm.

**Public Hearing for Economic Development Incentives for Project 15-8 for Southland Transportation/Snow Creek Management LLC**

Bobby Todd addressed the Board. He requested a public hearing be held on a proposal to provide Southland Transportation and Snow Creek Management with economic incentives of up to \$20,000.00 spread over two years. Snow Creek Management owns the building on River Road where the Southland Transportation expansion is expected to occur. Snow Creek Management and Southland Transportation are owned by the same company. A new capital investment of \$1.6 million is anticipated. The expansion will result in the creation of at least 6 new positions. The economic development incentives will be capped at \$10,000.00 per year. When the public hearing was originally set it was expected the economic incentives would be \$25,000.00 spread over two years but that number had to be adjusted down a little when the final capital investment numbers came in lower than was anticipated. Chairman Austin opened the Public Hearing at 7:10pm. No speakers came forward. Chairman Austin closed the Public Hearing at 7:11pm.

**BOARD ACTION**

**Economic Development Incentive Agreements with Lydall, North Carolina Tobacco International, and Southland Transportation/Snow Creek Management LLC**

The Board was asked to approve the Economic Development Incentive Agreements with Lydall, North Carolina Tobacco International, and Southland Transportation/Snow Creek Management. The public hearings on these three proposals were held tonight. **Commissioner Zachary made a motion to approve the Agreement for Economic Development Assistance contracts with Lydall, North Carolina Tobacco International, and Southland Transportation/Snow Creek Management LLC. Commissioner Welborn second.**

**Vote: 5/0.**

The fourth economic development incentive public hearing that was set for today will not be able to be held at this time. An agreement has not been reached so the company's name and the proposed incentives cannot be released. Bobby Todd is still speaking with the company about their competitive project and hopes an agreement can be reached with them soon.

**Resolution to Declare March 2016 Abandoned Cemeteries Awareness Month**

Andrew Mackie addressed the Board. He wanted to review the status of the project that is underway to review every abandoned cemetery in Yadkin County and publish a revised list of burials by townships and by location. He asked the Board to adopt a resolution to declare March as Abandoned Cemeteries Awareness Month. He wants people to be more aware of abandoned cemeteries and he feels the Board adopting the resolution is an incentive toward finishing the project. They are approximately halfway through the project now. He went over the 20 cemeteries that were studied in 2014, 2015, and 2016. They are dealing with something that they call wandering tombstones. Those are tombstones that were moved from one cemetery to another. Another thing they have found is that there are discarded tombstones stored in various places around the County that no one really knows what to do with. The Historical Society is working on a plan for discarded grave markers that people don't want. Andrew Mackie stated he appreciated the Board's continued support. If the resolution is approved tonight it will be approximately the 25<sup>th</sup> year that the resolution has been adopted. The relationship with the various Boards over the last 25 years has been positive and very helpful. Chairman Austin read the following resolution for the Board's consideration:

**A RESOLUTION OF THE YADKIN COUNTY BOARD OF COMMISSIONERS  
TO DECLARE MARCH 2016  
ABANDONED CEMETERIES AWARENESS MONTH**

**WHEREAS**, the abandoned cemeteries of Yadkin County constitute a valuable part of the County's cultural heritage; and

**WHEREAS**, an abandoned cemetery is defined as not having had a burial in over 50 years, and there are approximately 600 abandoned cemeteries in Yadkin County; and

**WHEREAS**, the NC General Assembly has directed every county in North Carolina to assume responsibility for the protection of its abandoned cemeteries and to establish a record of said cemeteries in the Office of the Register of Deeds, which has been established in the Yadkin County Register of Deeds, and that each county should establish a cemetery maintenance fund in the Office of the Clerk of Court, which has been established in Yadkin County; and

**WHEREAS**, while some of these cemeteries in Yadkin County and surrounding counties are maintained by citizens, most of them are not maintained and are subject to desecration and destruction; and

**WHEREAS**, Carl C. Hoots made an initial survey of cemeteries in Yadkin County and published a record of the same in 1987, and the Yadkin County Historical Society, Inc. is now updating that work,

**NOW, THEREFORE, BE IT RESOLVED** that the abandoned cemeteries of Yadkin County constitute a valuable part of Yadkin County's cultural heritage; the maintenance of these cemeteries by citizens in and out of the County is appreciated, and the desecration and destruction of said cemeteries are deplorable and illegal; the efforts of Carl C. Hoots and the Yadkin County Historical Society, Inc. to locate these cemeteries and record them is appreciated, and property owners in the County are encouraged to record these cemeteries on the deeds of their properties.

**BE IT FURTHER RESOLVED** that March 2016 be declared Abandoned Cemetery Awareness Month in Yadkin County.

Adopted by the Yadkin County Board of Commissioners on the 16<sup>th</sup> day of February, 2016.

Vice Chairman Moxley made a motion to adopt the Resolution to Declare March 2016 as Abandoned Cemeteries Awareness Month. Commissioner Zachary second.

Vote: 5/0.

**Resolution Supporting Connect NC Bond Act**

The Board was asked to adopt a resolution supporting the Connect NC Bond Act. The \$2 billion bond will provide funding for statewide investments in education, parks and historical attractions, safety, recreation, and water and sewer infrastructure. The bond will pay for assets that will last for 50 years or more with 20-year financing. There will be no new State taxes or tax increases due to the Connect NC Bond. Chairman Austin read the following resolution for the Board's consideration:

**RESOLUTION SUPPORTING CONNECT NC BOND ACT**

**WHEREAS**, North Carolina and its counties have a mutual desire to improve and enhance the quality of life for all of our state's citizens; and

**WHEREAS**, the North Carolina Community College System is in need of new and renovated facilities to educate and prepare students and workers for the 21<sup>st</sup> century for the purpose of enhancing the economic attractiveness of the State; and

**WHEREAS**, Clean water and sewer systems are essential to attract new and strengthen existing industry and to provide for the needs of the State and its growing population; and

**WHEREAS**, having parks and public facilities accessible to children and veterans with disabilities is essential to improving the quality of life for our most vulnerable citizens; and

**WHEREAS**, financing these costs through a bond is the most economical and affordable way to address these infrastructure needs; and

**WHEREAS**, the Connect NC Bond Act will provide funding for many critical needs facing North Carolina that will improve and enhance the quality of life in our counties;

**NOW THEREFORE, BE IT RESOLVED** the Yadkin County Board of Commissioners does hereby express its support for the Connect NC Bond Act; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to all 100 counties with encouragement for each county to adopt a similar resolution; and

**BE IT FURTHER RESOLVED** that copies of this resolution are transmitted to our members of the General Assembly and to Governor Pat McCrory to let them know of our support for this issue.

**ADOPTED**, this 15th day of February, 2016 by the Yadkin County Board of Commissioners.

**Commissioner Welborn made a motion to adopt the Resolution Supporting the Connect NC Bond Act. Commissioner Hemric second.**

**Vote: 5/0.**

#### **TB Grading Contract Amendment**

The County has a general services contract with TB Grading to provide grading, water, sewer, excavation, and construction services as needed. The departments that mainly use their services are Parks & Recreation, Public Buildings, Water & Sewer, and Human Services. Human Services uses them to put in ramps for their clients who qualify for the assistance. Due to the rainy weather and harsh winter, Solid Waste has had to also begin utilizing the contract with TB Grading to have them haul ABC stone to various convenience sites that have been experiencing erosion. The multi-year contract has a not to exceed amount of \$15,000.00 per fiscal year. That amount will not be sufficient to cover the costs for this fiscal year. The contract amendment before the Board tonight will increase the do not exceed amount for this fiscal year by \$11,000.00. The increase in the do not exceed amount is just for this year, it will go back to the \$15,000.00 next year. **Commissioner Hemric made a motion to approve the amended general services contract with TB Grading. Vice Chairman Moxley second.**

**Vote: 5/0.**

#### **CALENDAR NOTES**

- 1) February 24, 2016 – Commissioners’ Budget Retreat from 9:00am to 1:00pm in the Commissioners’ Meeting Room.
- 2) February 29, 2016 – Joint Meeting with the Board of Education in the Board of Commissioners Room. The meal will be served at 6:30pm and the meeting will start at 7:00pm.
- 3) March 21, 2016 – Cooperative Extension’s Annual Report to the People from 5:30pm to 6:30pm at the Yadkin Senior Center.
- 4) April 14, 2016 – NCACC District Meeting from 5:30pm to 8:00pm in Surry County at the Cross Creek Country Club.
- 5) April 18, 2016 – Celebration of Libraries.

#### **MANAGER’S REPORTS/BOARD ACTION**

##### **New Atlantic Change Orders**

Previously the Board discussed a change order concerning changes to the server rooms. The County Manager was authorized to sign the change order, up to a set amount. When she received the finalized change order it came in lower than the set amount but New Atlantic had added an extension of 25 days onto the contract. The time extension was not discussed by the Board because it was not on the proposed change order they had given County Manager Hughes. She asked them to provide justification at how they arrived at an extension of 25 days. The Board reviewed and discussed the information they provided to justify the request. It should not take 25 days to do the things New Atlantic listed that needs to be done, especially since there are things listed that are not on the critical path. New Atlantic has already been given a 10 day extension due to the change order concerning changes to the restrooms. The consensus of the Board was to approve the change order for the server rooms with no additional days. All of the additional days New Atlantic wants added on to the contract, including days for bad weather, needs to be presented to the Board on one change order. The Board discussed the finalized change order for the restroom changes. The removal of the soap dispensers, paper towel dispensers, and toilet paper dispensers that New Atlantic was going to place in the restrooms resulted in a change order for a deduction of \$553.00. The dispensers the County wants to be used instead have been picked out. A change order for \$1,761.00 is needed to cover the costs associated with those new dispensers. Putting electric hand dryers in the restrooms was also looked at. The costs associated with putting in the electric hand dryers is \$1,793.00. Off of the catering kitchen going

into the banquet room there are supposed to be two windows with rolling doors. The rolling doors will not come down on a counter where food and/or drinks could be placed to be picked up. They are just supposed to come down on cinder block. The windows don't seem to really have a purpose so County Manager Hughes asked New Atlantic to remove them. That resulted in a change order for a deduction of \$2,665.00. Surry Community College wants a couple of changes. New Atlantic will be submitting the change orders that the College wants and the College will be responsible for paying the County for those changes. One of the changes is related to a science lab. The other change pertains to the College wanting additional paving to be done. They want the additional paving done in anticipation of a new building they are planning to build on the Campus in the future. **Commissioner Zachary made a motion to authorize the County Manager to sign the four Change Orders (Change Order numbers 28, 29, 30, and 31) as described. Vice Chairman Moxley second. Vote: 5/0. Vice Chairman Moxley made a motion to authorize the County Manager to sign the two Change Orders Surry Community College will pay for. Commissioner Hemric second.**

**Vote: 5/0.**

#### **MANAGER'S BUDGET AMENDMENTS & CONTRACTS / NO ACTION REQUIRED**

Department	Purpose
Human Services/Health Ed Health Ed Supplies (150) Health Ed Dues/Subscriptions 150	Transfer of funds to cover cost of Smart Start advertising.
Solid Waste Buildings/Grounds/Maintenance (460) Supplies & Materials 460	Transfer of funds to cover cost of new cash drawer that is compatible with WasteWORKS.
Solid Waste Buildings/Grounds/Maintenance (460) Supplies & Materials 460	Transfer of funds to cover cost of a cash drawer to replace the one that was taken in the break-in.
Solid Waste Buildings/Grounds/Maintenance (350) Equipment 350	Transfer of funds to cover part of the cost of a new printer. IT will pay the remainder of the cost.
Governing Body Travel/Training (500) Advertising 500	Transfer of funds to cover advertising costs for four Economic Development Public Hearings.
Solid Waste Buildings/Grounds/Maintenance (125) Equipment 125	Transfer of funds to purchase a new phone for the Marantha site and indoor cameras for the Scale House.
EMS Vehicles 218 Furniture, Equip. < \$999 (35) Supplies & Materials (183)	Transfer of funds needed for vehicle registration and tags.
EMS Gas/Diesel (950) Vehicles 950	Transfer of funds needed for vehicle registration and tags.

#### **Don Adams Grading Contract**

Don Adams Grading will provide ABC stone to the County solid waste convenience sites as needed.

#### **BOARD VACANCIES/APPOINTMENTS**

##### **Human Services Advisory Committee**

There is a vacancy for a dentist on the Human Services Advisory Committee.

**Joint Nursing Home and Adult Care Home Community Advisory Committee**

There is a vacancy on the Committee.

**Community Child Protection Team/Child Fatality Prevention Team**

The Board was asked to appoint Dr. McGrath to the Community Child Protection Team/Child Fatality Prevention Team to serve as the health care provider appointee. Dr. McGrath would like to serve and his medical knowledge will be beneficial to the Teams. He can interpret the autopsy reports and other medical information that the Teams need to review. **Commissioner Welborn made a motion to appoint Dr. James McGrath to the Yadkin County Child Protection Team/Child Fatality Prevention Team to serve as the representative of Health Care Provider. Commissioner Zachary second.**

**Vote: 5/0.**

**COMMISSIONER COMMENTS**

**Vice Chairman Moxley** thanked everyone for coming out this evening. He thanked the Jonesville Elementary students who led the Pledge. It was nice to have them come and do that. He appreciated Bobby Todd's economic development reports. It was good news to hear about manufacturing increasing in Yadkin County.

**Commissioner Hemric** thanked everyone for coming out. He thanked the Jonesville Elementary students who led the Pledge. He thanked Bobby Todd for his presentations on economic development. He thanked Andrew Mackie for his report on the abandoned cemeteries.

**Commissioner Welborn** thanked everybody for being here. He wished Bobby Todd could report on new economic development every month. He was glad that he didn't hear of anyone getting badly hurt during the snowy weather.

**Commissioner Zachary** thanked everybody for being here tonight. Tonight is a better night to be out than the last few nights were. He thanked Keith Vestal, the Sheriff, and all the public safety employees for their hard work over the last couple of days. He thanked the Jonesville Elementary students who led the Pledge. He thanked Bobby Todd for his reports. It is good to see some economic development happening in Yadkin County. He thanked Andrew Mackie for his presentation on abandoned cemeteries. Andrew Mackie is a wealth of information.

**Chairman Austin** stated he echoed the comments already made by the other Commissioners. He especially wanted to thank all the public safety personnel. They are a special group of people that plan their lives to be ready for weather events like we have just had. The County can't do without them. People count on public safety personnel in these circumstances. He heard that John Kessler, of the Forestry Service, was out cutting a tree and removing it from the road before dawn. All of the public safety personnel do so much for the citizens. He hopes they get the thanks and the recognition that they deserve.

**Chairman Austin made a motion to go into Closed Session pursuant to NCGS 143-318.11(a) (1)(3)(4)(5)(6) to discuss Personnel Matters and to Protect Personnel Information that is Confidential under NCGS 153A-98, and to discuss the potential Location or Expansion of Industries or other Businesses in the County, to Establish the County's Negotiating Position for Acquiring Real Property and to Instruct the County Staff on that Position, and to have a Privileged Consultation with our County Attorney. Commissioner Hemric second.**

**Vote: 5/0.**

After a motion to come out of Closed Session was made and the Board was in **Open Session**, **Commissioner Zachary made a motion to approve the budget amendment to move \$10,000.00 from Contingency to Non-Departmental Professional Services to pay the deductible in the Lankford case. Commissioner Hemric second.**

**Vote: 5/0.**



Commissioner Welborn made a motion to adopt the Classification & Pay Plan Study as submitted by the Piedmont Triad Regional Council of Governments. Vice Chairman Moxley second.

Vote: 5/0.

Commissioner Zachary made a motion to adopt the Sheriff's Office Career Path Qualifiers as presented. Commissioner Welborn second.

Vote: 5/0.

Commissioner Hemric made a motion to reclassify one Deputy Detective position, at the Sheriff's discretion, at a pay grade 68 to a Sergeant position at a pay grade 69.

Vice Chairman Moxley second.

Vote: 5/0.

Commissioner Zachary made a motion to create a Lieutenant position within the Sheriff's Office at a pay grade 71. Vice Chairman Moxley second.

Vote: 5/0.

With only one matter left to discuss, Chairman Austin asked to be excused from the vote on that matter because it involves him personally.

Commissioner Zachary made a motion to recuse Chairman Austin from consideration of the next matter. Vice Chairman Moxley second.

Vote: 4/0.

Chairman Austin left his seat with the Board of Commissioners and turned the meeting over to Vice Chairman Moxley. Vice Chairman Moxley read a resolution for the Board's consideration.

Commissioner Welborn made a motion to adopt the Resolution. Commissioner Zachary second.


Vote: 4/0.

[The Resolution is attached as Appendix A]

Commissioner Welborn made a motion to adjourn. Commissioner Zachary second.

Vote: 4/0.

  
\_\_\_\_\_  
Prepared by Tanya Gentry  
Clerk to the Board

  
\_\_\_\_\_  
Kevin Austin, Chairman  
Yadkin County Board of Commissioners

3/7/16  
\_\_\_\_\_  
Date approved by the  
Yadkin County Board of Commissioners

**RESOLUTIONS OF THE BOARD OF COMMISSIONERS OF  
THE COUNTY OF YADKIN**

The following Resolutions were duly adopted by the Board of Commissioners of the County of Yadkin (the "County") in a duly called meeting on the 16<sup>th</sup> day of February, 2016:

WHEREAS, the County is involved in litigation regarding the improper closure of the County's hospital by the former operators of the hospital; and

WHEREAS, the former operators of the hospital have filed a new lawsuit in the Middle District of North Carolina making allegations against Kevin Austin individually regarding actions Mr. Austin allegedly took because of his position on the Board of Commissioners; and

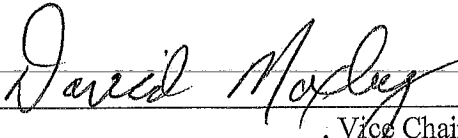
WHEREAS, the County wishes to pay the costs of Mr. Austin's legal expenses in this matter;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

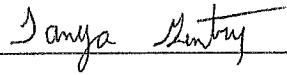
1. The County's Board of Commissioners hereby authorizes the payment of Mr. Austin's legal fees and related costs in this matter as set forth in the Agreement with Smith Moore Leatherwood LLP attached hereto.

2. This Resolution was duly adopted by the Board of Commissioners of the County of Yadkin, and has been attached to the Minutes of the Board of Commissioners for its duly called meeting on that date.

This the 16<sup>th</sup> day of February, 2016.

  
\_\_\_\_\_, Vice Chairman

ATTEST:

  
\_\_\_\_\_, Clerk